

Instructions for Completing the *Pro Se* Answer and Affirmative Defenses to Foreclosure Complaint.

This form and instructions are NOT a substitute for legal advice. In order to make sure that you understand all of your rights and responsibilities in a foreclosure action, you should seek legal advice.

Read the Summons to understand your rights and to determine the time period for filing an Answer or Responsive Pleading. Follow the instructions contained in the Summons related to filing and serving your Answer or Responsive Pleading to the foreclosure Complaint.

Additional time to file an Answer or Responsive Pleading may be granted by the court in certain circumstances upon a motion made to the court. A form called Notice of Motion and Motion for Extension of Time to Answer or Otherwise Plead is available to make such a request.

Completing the Form:

- Step 1: Write in the case caption at the top of the page, including the names of the Plaintiff(s); names of the Defendant(s) and Case number. This information is found at the top of the Summons and Complaint.
- Step 2: Fill in the name and address of the Plaintiff's attorney. This information can be found in the Summons or the Complaint or on CCAP (<http://wcca.wicourts.gov>).
- Step 3. In the answer, respond to each paragraph in the plaintiff's complaint. You should have the same number of paragraphs that the plaintiff's complaint does. For each you can write "admit" if you admit that what the plaintiff says in that paragraph is true; "deny" if you deny that what they say in that paragraph is true, or "don't have enough information to answer" that paragraph. You do NOT need to respond to paragraphs contained after the word "wherefore."
- Step 4. In the affirmative defense section, you can give additional reasons why you do not think that the court should order judgment against you. Number each reason separately. List any reason that you may want to bring up in court.
- Step 5. Sign and print your name, mailing address and telephone number.

Serving and Filing your Response:

- Step 1. Complete and sign the form.
- Step 2. Make at least one copy for you, one for the plaintiff's attorney and one for any other defendant named. There is a copy machine in **Room 307A** (Legal Resource Center) of the Courthouse for 20 cents a page.

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- Step 3. You must file the **original** with the court. Your judge's name is stamped on the front of your Summons. You can find out where his or her courtroom is in Room G-9 of the Courthouse or on the kiosk located in the hallways of the first floor. You can also mail it to the judge. The address is 901 N. 9th St, Milwaukee, WI 53233.
- Step 4. Serve the Response on the plaintiff and any other defendant in the time period stated in the Summons. To serve those parties you can mail, fax or hand deliver a copy of the Response at the address contained in the Summons and Complaint or found on CCAP. If you fax or hand deliver the Response, keep a copy of a receipt showing proof of the date and time of delivery. If you mail the Response, prepare a form called an "Affidavit of Mailing" which is available at the Justice Center OR mail it certified mail and keep your mailing receipt.
- Step 5. After you serve and file your Response, the Court and the plaintiff's attorney should copy you on all paperwork filed in your case and notify you of any hearings or court dates set in your case. To keep track of the events and status of your case, you can check the on-line court information system called CCAP (<http://wcca.wicourts.gov>).